

REMARKS

The foregoing amendment amends claim 18. Pending in the application are claims 1-11, 13 and 17-19, of which claims 1, 13 and 17-19 are independent. The following comments address all stated grounds for rejection and place the presently pending claims, as identified above, in condition for allowance.

Patentable Subject Matter

Claims 3-6 are indicated to recite patentable subject matter and would be allowable if rewritten in independent form.

Interview and Claim Amendments

Applicants thank the Examiner for allowing an interview to discuss the patentability of the pending application. Based on the discussion with the Examiner in the interview, Applicants amend independent claim 18 to clarify the scope of the claimed invention. In particular, claim 18 is amended to recite that the temperature of the exhaust gas is *increased* prior to introducing the exhaust gas into the heat exchanger. Support for the amendment can be found throughout the Specification of the pending application. No new matter is added.

Claim Rejections - 35 U.S.C. §102

Claims 1, 2, 7-11, 13 and 17-19 are rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,696,192 ("Kanai"). Applicants respectfully traverse this rejection for the following reasons.

Applicants note that the Japanese priority application of the pending application was filed prior to the U.S. filing date of the Kanai reference. Applicants submit a verified English translation of the Japanese priority application to rely upon the earlier filing date of the Japanese priority application. In light of this, Applicants submit that Kanai does not qualify as a prior art reference to reject the pending application under 35 U.S.C. §102(e). Applicants

therefore request the Examiner to reconsider and withdraw the rejection of claims 1, 2, 7-11, 13 and 17-19 under 35 U.S.C. §102(e), and pass the claims to allowance.

Claim Rejections - 35 U.S.C. §103

Claim 18 is rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,106,964 (“Voss”) in view of U.S. Patent No. 6,497,971 (“Reiser”), and further in view of U.S. Patent No. 6,331,366 (“Van Dine”). Applicants respectfully traverse this rejection for the following reasons.

Independent claim 18 recites a process for controlling the temperature of a supply gas supplied to a fuel cell. In the process, a fuel cell exhaust gas having a pressure higher than the supply gas is introduced into a heat exchanger to perform heat exchange between the supply gas and the exhaust gas. The temperature of the exhaust gas is *increased* prior to introducing the exhaust gas into the heat exchanger.

Applicants respectfully submit that the cited prior art references do not teach all of the features of the claimed invention. Applicants submit that Voss, Reiser and Van Dine do not teach or suggest that the temperature of the exhaust gas is *increased* before introducing the exhaust gas into the heat exchanger, as recited in claim 18.

Voss teaches a water-heat exchange type of humidifier. Reiser teaches blowers. Voss and Reiser, however, do not teach or suggest that the temperature of the exhaust gas exhausted from a fuel cell is increased before introducing the exhaust gas into the heat exchanger. Van Dine is cited to compensate for the deficiencies of Voss and Reiser.

Van Dine teaches a heat and mass transfer device (92) and a heat exchanger (101). Van Dine specifically teaches that the heat exchanger (101) *lowers* the temperature of the exhaust gas prior to entering the heat and mass transfer device (92). See Van Dine, column 9, line 65 through column 10, line 3. Van Dine, however, does not teach or suggest that the temperature of the exhaust gas is *increased* before the exhaust gas is introduced into the heat exchanger, as recited in claim 18.

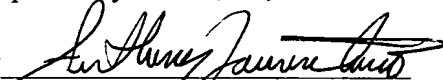
In light of the foregoing claim amendments and arguments, Applicants submit that Voss, Reiser and Van Dine do not teach all of the features of claim 18. Applicants therefore request the Examiner to reconsider and withdraw the rejection of claim 18 under 35 U.S.C. §103(a), and pass the claim to allowance.

Conclusion

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue. If, however, the Examiner considers that obstacles to allowance of these claims persist, we invite a telephone call to Applicants' representative.

Dated: May 9, 2005

Respectfully submitted,

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